

AO 257 (Rev. 6/78)

filing

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

SEE ATTACHED

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

SEE ATTACHED

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
ATF

- ☒ person is awaiting trial in another Federal or State Court, give name of court
Alameda County

- ☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

- ☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

- ☐ this prosecution relates to a pending case involving this same defendant

- ☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

Bryan R. Whittaker, SAUSA

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

KENNETH EUGENE HOLLOWAY

DISTRICT COURT NUMBER

CR07-00344

DEFENDANT

IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State
- If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS*☒ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

PENALTY SHEET ATTACHMENT
KENNETH HOLLOWAY

CHARGES:

- COUNT 1: 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(iii) – Possession With Intent To Distribute Cocaine Base;
- COUNT 2: 18 U.S.C. § 924(c)(1)(A) - Possession of Firearm In Furtherance of Commission of Drug Traffic Offense
- COUNT 3: 18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm; 18 U.S.C.

PENALTIES:

- COUNT 1: Maximum Life - 10 years mandatory minimum imprisonment; \$4,000,000 fine; Maximum lifetime - 8 year mandatory minimum supervised release and \$100 special assessment.
- COUNT 2: Maximum Life - 5 years mandatory minimum consecutive to any other term of imprisonment, \$250,000 fine; 5 years supervised release and \$100 special assessment.
- COUNT 3: 10 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 special assessment.

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: OAKLAND

E-filing

UNITED STATES OF AMERICA,
v.
KENNETH HOLLOWAY,

CRO7-00344 MJJ

FILED
2007 MAY 31 PM 12:31
NORTHERN DISTRICT OF CALIFORNIA
CLERK OF COURT
JULIE H. HARRIS

C

DEFENDANT.

INDICTMENT

(B) WDB

VIOLATIONS: 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(iii) - Possession
With Intent To Distribute Cocaine;
18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm
18 U.S.C. § 924(c)(1)(A) - Using and Carrying a Firearm During Drug
Trafficking Crime

A true bill.

[Signature]

Foreman

Filed in open court this 31st day of
May, 2007

Clerk

Bail, \$

No bail arrest warrant.
Wayne D. Brazil 5/31/07

E-filing

FILED

C

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

2007 MAY 31 PM 12:31

RICHARD P. LIVING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH EUGENE HOLLOWAY,

Defendant.

No.

CR07-00344

MJJ

VIOLATIONS: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(B)(iii) – Possession With Intent
To Distribute Cocaine Base; 18 U.S.C. §
922(g)(1) – Felon in Possession of a
Firearm; 18 U.S.C. § 924(c)(1)(A) – Using
and Carrying a Firearm During Drug
Trafficking Crime

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(iii) -- Possession With Intent To
Distribute Cocaine Base)

On or about August 25, 2006, in the Northern District of California, the defendant,
KENNETH EUGENE HOLLOWAY,
did knowingly and intentionally possess with intent to distribute a Schedule II controlled
substance, namely, at least 5 grams of a mixture and substance containing cocaine base (in the
form of "crack" cocaine), in violation of Title 21, United States Code, Sections 841(a)(1) and
841(b)(1)(B)(iii).

INDICTMENT

COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm)

On or about August 25, 2006, in the Northern District of California, the defendant,
KENNETH EUGENE HOLLOWAY,
having previously been convicted of a felony crime punishable by a term of imprisonment
exceeding one year, did knowingly possess a firearm, described as an RG Industries, Model RG-
14, .22 caliber revolver, serial number 354137, in and affecting commerce, in violation of Title
18, United States Code, Section 922(g)(1).

COUNT THREE: (18 U.S.C. § 924(c)(1)(A) – Using, Carrying, and Possessing a Firearm
During, in Relation to, and in Furtherance of a Drug Trafficking Crime)

On or about August 25, 2006, in the Northern District of California, the defendant,
KENNETH EUGENE HOLLOWAY,
did knowingly use and carry a firearm during and in relation to the drug trafficking crime alleged
in Count One herein, which crime may be prosecuted in a court of the United States, and, in
furtherance of that crime, did knowingly possess that firearm, in violation of Title 18, United
States Code, Section 924(c)(1)(A).

//

DATED: May 31, 2007

A TRUE BILL.

FOREPERSON

SCOTT N. SCHOOLS
United States Attorney

DOUGLAS SPRAGUE
Chief, Oakland Branch

(Approved as to form: SAUSA WHITTAKER)

INDICTMENT